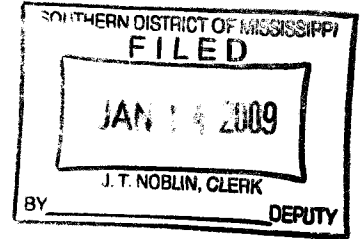


IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION



KEITH HIGGINBOTHAM AND JOSH PINTER,
INDIVIDUALLY, AND ON BEHALF OF ALL
SIMILARLY SITUATED
PAST AND PRESENT EMPLOYEES OF
SATELLITES UNLIMITED, INC.

PLAINTIFFS

v.

CIVIL ACTION NO. 3:09cv27-HTW-LRA

SATELLITES UNLIMITED, INC.

DEFENDANT

COMPLAINT
JURY TRIAL DEMANDED

COME NOW, Plaintiffs Keith Higginbotham and Josh Pinter individually, and on behalf of all similarly situated, past and present employees of Satellites Unlimited, Inc., by and through counsel, and file this Complaint and in support thereof state as follows:

PARTIES

1. Plaintiff Keith Higginbotham is an adult resident citizen of Winston County, Mississippi.
2. Plaintiff Josh Pinter is an adult resident citizen of Newton County, Mississippi.
3. Defendant Satellites Unlimited, Inc. is an Alabama corporation, with its principal place of business located at 138 Citation Court, Birmingham, Alabama 35209. Defendant is doing business in the Southern District of Mississippi, and may be served with process by service upon its registered agent, National Registered Agents, Inc., 840 Trustmark Bldg., 248 E. Capitol Street, Jackson, MS 39201.

JURISDICTION AND VENUE

4. Some or all of the incidents alleged in this Complaint occurred or accrued in this

District.

5. This Court has jurisdiction over the subject matter, pursuant to 28 U.S.C. § 1331 and 28 U.S.C. § 1332.

FACTS

6. Plaintiffs were employed with Defendant as satellite television system installers/service men/technicians.

7. Throughout their employment with Defendant, Plaintiffs and other similarly situated employees worked more than forty hours per week, but were not paid for the actual hours worked, and were not paid overtime compensation.

Class Action Overtime Claim Under Fair Labor Standard Act

8. Plaintiffs incorporate by reference all preceding paragraphs and further allege that:

9. Plaintiffs bring this action on behalf of themselves and all other past and present similarly situated employees of the Defendants who have worked over forty hours per week without overtime compensation.

10. As this is an “opt-in” class action pursuant to 29 U.S.C. § 216(b), Plaintiffs hereby request the assistance of the Court in notifying other class members of the pending class action and their rights to participate herein.

11. The named class representatives consent to the institution of, and their participation in, this class action, and hereby attach written evidence of their consent as Exhs. “A” and “B,” respectively.

12. Under 29 U.S.C. § 207, Defendants were required to pay overtime compensation to each class member for all hours worked over forty in each week.

13. Defendants negligently, or intentionally, or willfully and without justification, exception, or good faith, failed to pay overtime compensation to the representative Plaintiffs and failed to pay overtime compensation to each class member.

14. Pursuant to 29 U.S.C. § 216(b), each class member is entitled to relief as authorized therein.

DAMAGES

WHEREFORE PREMISES CONSIDERED, Plaintiffs demand a judgment from and against the Defendants for actual, compensatory, liquidated, and punitive damages in amounts to be determined at trial along with reasonable attorney's fees, costs, expenses and any other legal or equitable relief the Court deems appropriate.

Respectfully submitted, this the 12th day of January, 2009.



O. Stephen Montagnet, III (MB# 10049)

W. Thomas McCraney, III (MB# 10171)

Sean R. Guy (MB#100362)

ATTORNEYS FOR PLAINTIFFS

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